

Appl. No. 10/765,,029
Amdt. dated September 26, 2007
Reply to Office Action of August 7, 2007

REMARKS

Claims 1-69 remain in this application. The most recent Office Action rejects all claims 1-69, but the only basis given is that the amendment filed on September 28, 2006 is considered non-compliant for failure to underline claim 67 and that a supplemental oath/declaration must be filed. Therefore, it is believed that the previous rejection of claims 65-69 under 35 U.S.C. 103 (a), which was responded to in the amendment filed on September 28, 2006, has been withdrawn.

In response to the issue of non-compliance, claim 67 has been underlined in the amendment to the claims submitted herewith.

In response to the requirement for a supplemental oath/declaration, applicants submit herewith a Supplemental Declaration for Reissue Patent Application by the Assignee.

In view of the foregoing, a Notice of Allowance appears to be in order and such is courteously solicited. Any additional fee which might be due in connection with this application should be applied against our Deposit Account No. 19-0522.

Respectfully submitted,

HOVEY WILLIAMS LLP
By 
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816/474-9050

ATTORNEYS FOR APPLICANT(S)

(Docket No. 22299REI)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:) Docket No. 22299-RE1
O'HALLORAN, Michael L., et al.) Customer No. 23589
S.N. 10/765,029) Group Art 3671
Filed 1/26/2004) Examiner Alicia M. Torres
Confirmation No. 1988)
Reissue of Patent No. 5,463,852)
Issued: November 7, 1995)
WIDE CUT HARVESTER HAVING)
ROTARY CUTTER BED)

Mail Stop Reissue
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL DECLARATION FOR REISSUE PATENT APPLICATION
BY THE ASSIGNEE

COMES NOW Garry L. Ball and declares as follows:

1. I am Senior Vice President Engineering of assignee AGCO Corporation and am authorized to act on its behalf. The entire title to U.S. Patent 5,463,852 issued November 7, 1995, and titled "Wide Cut Harvester Having Rotary Cutter Bed", which is the subject of this reissue application, is vested in AGCO Corporation as reflected in the Statement Under 37 C.F.R. 3.73(b) submitted with the reissue application as originally filed.

2. The residence, mailing address and citizenship of the inventors are as follows:

Michael L. O'Halloran, U.S. Citizen
124 South Roupp
Hesston, Kansas 67062

Cecil L. Case (deceased)

Martin E. Pruitt, U.S. Citizen
101 Meadow Lane
Hesston, Kansas 67062

David P. Fritz, U.S. Citizen
2125 SW Millers Glen Drive
Topeka, Kansas 66614

3. I believe the inventors noted above are the original and first inventors of the subject matter which is described and claimed in Patent 5,463,852 and in the present reissue application as amended by all amendments to date, including the Amendment submitted contemporaneously with this Supplemental Declaration.

4. With the help of counsel I have reviewed and understand the contents of the above identified specification, including the claims, as amended by all amendments to date, including the Amendment being contemporaneously submitted herewith.

5. I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. 1.56.

6. Every error in Patent 5,463,852 which was corrected in the present reissue application, and is not covered by a prior oath/declaration submitted in this application, arose without any deceptive intention on the part of the applicant.

7. I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are

punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

9/27/07

Date

Garry L. Ball

Typed or printed name



Signature

Senior Vice President Engineering

Title